

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIAM KENNETH MILLER,
Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security,
Defendant.

Civil Action No. 10-2247

ORDER

AND NOW, this 29th day of June, 2012, upon independent review of the administrative record and the parties' submissions and upon careful consideration of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is hereby ORDERED that:

1. The Report and Recommendation (ECF No. 15.) is APPROVED and ADOPTED;
2. Petitioner's Objections to the Report and Recommendation (ECF No. 16.) are OVERRULED;
3. The final decision of the Commissioner denying disability benefits to Plaintiff is VACATED; and

4. The matter is REMANDED to the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g) for further proceedings consistent with this memorandum.
5. The Clerk of Court shall close this case.

BY THE COURT:

/s/ Michael M. Baylson

MICHAEL M. BAYLSON, U.S.D.J.